

1 BILL NO. G-83-09-05

2 GENERAL ORDINANCE NO. G-2683

3 AN ORDINANCE establishing procedures
4 for determining Economic Revitaliza-
5 tion Areas within the City of Fort
Wayne, Indiana and repealing the
Municipal Code, Section 2-44.1.

6 WHEREAS, the General Assembly of the State of Indiana
7 has amended Indiana Code I.C. 6-1.1-12.1, concerning Urban Develop-
8 ment Areas, including changing their designation to Economic Re-
9 vitalization Areas, and;

10 WHEREAS, the procedure for designation an Economic
11 Revitalization Area has been changed by State law and conflicts
12 with Municipal Code Section 2-44.1, and;

13 WHEREAS, the Common Council of the City of Fort Wayne
14 desires to amend the Municipal Code to reflect the changes brought
15 about in State law and to revise the procedure for designating
16 an Economic Revitalization Area,

17 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
18 THE CITY OF FORT WAYNE, INDIANA:

19
20 SECTION 1. A new section of the Municipal Code of the
21 City of Fort Wayne is hereby added to Division 6 to be designated
22 Section 2-44.2. Said section shall read as follows:

- 23 (a) A person who desires designation of an area as an
24 Economic Revitalization Area, as defined at I.C.
25 6-1.1-12.1-1(1), shall file a petition at the
26 Office of the Department of Economic Development
27 and pay a filing fee of Fifty Dollars (\$50.00).
28 Provided, however, that no filing fee shall be re-
29 quired for an owner-occupied, single-family project.
- 30 (b) The petition shall be of a form provided by the De-
31 partment of Economic Development. Said form shall
32 require the applicant to provide either:

- (1) Maps and plats that identify the proposed Economic Revitalization Area, or
 - (2) A simplified description of the boundaries of the proposed Economic Revitalization Area describing its location in relation to public ways, streams, or otherwise.
- (c) On receipts of such petition, the Department of Economic Development shall:
 - (1) Note the date of filing on the petition and record the date in the records of the Department;
 - (2) Forward the petition to the Law Department with a request for the preparation of a Declaratory Resolution for consideration by the Common Council, designating the area described in the petition as an Economic Revitalization Area.
- (d) The Law Department shall prepare a Declaratory Resolution and forward the petition and said resolution to the City Clerk, who shall include the same in the new business portion of the agenda of Common Council at its next regular meeting. The petition shall constitute a communication under Municipal Code 2-18(e)(6).
- (e) The City Clerk shall establish and apply to such bill, resolutions and petitions, a system of numbering corresponding to that prescribed by Municipal Code 2-31, using the prefix (D).
- (f) Upon introduction of the Declaratory Resolution, the same shall be eligible for passage on the same date as introduced, subject to the following procedure:

- (1) Upon adoption of the resolution said resolution shall be filed with the Allen County Assessor;
- (2) Pursuant to I.C. 6-1.1-12.1-2.5(c) said resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the area an Economic Revitalization Area;
- (3) Publish notice in accordance with I.C. 5-3-1 of the adoption and substance of the resolution and setting the resolution for public hearing;
- (4) If the proposed resolution involves an area that has already been designated an Allocation Area under I.C. 36-7-14-39 then the proposed resolution shall be referred to the Fort Wayne Redevelopment Commission and shall not be approved unless said Commission adopts a resolution approving the petition;
- (5) Upon receipts of the written recommendation from the Department of Economic Development, action by the Committee on Finance, receipt of resolution from the Fort Wayne Redevelopment Commission if necessary, and after the public hearing provided for herein, the Common Council shall take final action on said Declaratory Resolution by either confirming, modifying and confirming, or rescinding said resolution.

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SECTION 2. Powers. The City of Fort Wayne has all the powers for designating Economic Revitalization Areas contained in I.C. 6-1.1-12.1-1, et seq.

SECTION 3. Repealer. Municipal Code Section 2-44.1 is hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective upon its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY

Bruce O. Boxberger, City Attorney

Councilmember

Read the first time in full and on motion by Gio Quinto, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock ____ M., E.S.T.

DATE: 9-13-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Gio Quinto, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 9-27-83

Sandra E. Kennedy
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (RESOLUTION) NO. 9-26-83 on the 27th day of September, 1983.

ATTEST:

(SEAL)

Sandra E. Kennedy
CITY CLERK

Ray A. E. E. E.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of Sept, 1983, at the hour of 11:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
CITY CLERK

Approved and signed by me this 30th day of September 1983, at the hour of 12 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. G-83-09-05

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE establishing procedures for determining Economic
Revitalization Areas within the City of Fort Wayne, Indiana and repealing
the Municipal Code, Section 2-44.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

SAMUEL J. TALARICO

DONALD J. SCHMIDT

Mark E. Giaquinta

James S. Stier

Janet G. Bradbury

Samuel J. Talarico

Donald J. Schmidt

Concurred in 9-27-83 Sandra E. Kennedy